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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,762	02/22/2002	Shinichi Kurita	006885 DISPLAY/AKT	5381
32588	7590	10/08/2003	EXAMINER	
APPLIED MATERIALS, INC. 2881 SCOTT BLVD. M/S 2061 SANTA CLARA, CA 95050			KIM, SANG K	
			ART UNIT	PAPER NUMBER

3654

DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/084,762

Applicant(s)

KURITA ET AL.

Examiner

SANG KIM

Art Unit

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1.36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,5,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 5, 9-13, 19, 22-24, 26, 32, 35-36, the phrase "urge the substrate" is indefinite and vague. Examiner cannot decipher what is meant by "urge the substrate".

Claim 3, lines 2-3, "a second rotational axis orientated different than the first rotational axis" is indefinite and vague because it appears that a second rotational axis is referring to the another first body, since each alignment mechanism has a pair of first body. If the examiner's assumption is correct then the applicants need to rewrite the claim to make it clear.

Claim 17, lines 1-2, "a cooling plate move relative to the first axis" is indefinite and vague because it appears in Fig. 3, a cooling plate moves to a different axis and not relative to the first axis because the first rotational axis was already determined by the first pushing member as stated in the other claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 3654

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 11-16, and 28-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Maekawa et al, U.S. Patent No. 5775000.

Referring to claims 1-4, 11-13, Maekawa et al show applicants' claimed invention, specifically teaching an apparatus for supporting a substrate S, comprising: a support plate 12 having a first side (no reference number assigned) adapted to support the substrate S and a first edge bounding a portion of the first side, as shown in Fig. 4; a first body 14 rotationally disposed proximate the first edge; and a first pushing member 16 radially coupled to the first body by a radially shaped shaft 18 and adapted to move the substrate in a first direction (indicated by an arrow A, movement toward the center) parallel to the first side when the first body rotates; a second body 14 rotationally disposed proximate a second edge of the support plate 12, the second edge disposed adjacent the first edge; and a second pushing member 16 radially coupled to the second body by a radially shaped shaft 18 and adapted to move the substrate in a second direction that is different than the first direction when the second body rotates; a third body and a fourth body are in Figs. 3-5.

Referring to claims 5, 14, 15, Maekawa et al show the first pushing member 14 has a concave face adapted to move the substrate S, wherein the first direction is tangent to the concave face, as shown in Fig. 4.

Referring to claims 6, 7, 16, Maekawa et al show the body is activated by an actuator 35, and a roller 21 coupled between a rotational axis of the body along the shaft and the first pushing member, as shown in Figs. 3 and 4.

Referring to claim 8, Maekawa et al show the body 14 further comprises: a first flange and a second flange 17; a center portion (no reference number assigned) coupling the first and second flanges; a first hole (where the shaft 18 is located) formed through the first and second flanges coaxial with a first axis of rotation of the body; and a roller 21 disposed between the first and second flanges, the roller having a second axis of rotation orientated parallel to the first axis of the body, the second axis defined between the first axis and the center portion, as shown in Figs. 5-6.

Referring to claim 9, Maekawa et al show a biasing member 20 disposed between at least one of the first and second flanges and the roller, the biasing member adapted to move the body about the first axis, as show in Figs. 5-6.

With respect to claims 28-36, the method described in these claims would inherently result from the use of invention of Maekawa et al as advanced above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18-22 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maekawa et al, in view of Hiroki et al, U.S. Patent No. 5636960.

Referring to claims 18, Maekawa et al disclose the claimed invention except for a chamber body. Hiroki et al teach a chamber body 210, as shown in Figs. 9-10.

Art Unit: 3654

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Maekawa et al to place it in a chamber as taught by Hiroki et al to prevent the substrate from any environmental damage.

Referring to claims 19-22 and 24-25 are rejected as advanced above.

Allowable Subject Matter

Claim 26 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Claims 10, 17, 23, and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form and overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references of record show other examples of substrate support.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sang Kim whose telephone number is (703) 305-3712. The examiner can normally be reached Monday through Friday from 8:00 A.M. to 5:30 P.M. alternating Friday.

Art Unit: 3654

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703) 308-2688. The fax phone numbers are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

SK

10/1/03

Kathy Matecki
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